

THE SENATE
OF THE
TWENTY-SEVENTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 2013

FIFTY-FIRST DAY

APRIL 17, 2013-WEDNESDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: Nos. 260-261

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 260	Dated April 10, 2013, transmitting the Amended and Restated Annual Report on Goals and Objectives, prepared by the Department of the Attorney General pursuant to Act 100, SLH 1999, as amended by Act 154, SLH 2005 (amends report submitted under GM117).	FILE
G.M. No. 261	Dated April 12, 2013, transmitting the FY 2012 Annual Report, prepared by the Department of Human Services pursuant to Section 346-5, HRS.	FILE

2. Departmental Communications: None

3. House Communication Nos. 700-701

Informing the Senate that on April 16, 2013, the House appointed Conferees to the following bills:

REFERRAL

700

[H.B. No. 87, S.D. 2](#)

FILE

"RELATING TO PUBLIC HOUSING."(Criminal Trespass; Public Housing Project)

Cabanilla, Rhoads Co-Chairs; Carroll, Ward

[H.B. No. 369, H.D. 3, S.D. 2](#)

"RELATING TO FIRE SAFETY."(Fire Safety; Residential Kitchen Fire Task Force)

Aquino, Rhoads, Ing Co-Chairs; Yamane, McDermott

Informing the Senate that on April 16, 2013, the House made changes to conferee assignments to the following bills:

701

[H.B. No. 120, H.D. 2, S.D. 2](#)

FILE

"RELATING TO HEALTH."(Care Facility Violations; Posting on Websites; DOH; Working Group; Appropriation)

Added Representative Cabanilla as a member.

[H.B. No. 252, H.D. 2, S.D. 2](#)

"RELATING TO GOVERNMENT."(Native Hawaiians; Recognition; Native Hawaiian Roll Commission; BLNR; Native Hawaiian Traditional and Customary Practice; Mineral Resources; Geothermal Resources)

Added Representative Coffman as a member.

[H.B. No. 353, H.D. 1, S.D. 2](#)

"RELATING TO
AGRICULTURE."(Agriculture; Coffee Berry
Borer; Task Force; Appropriation)

Added Representative Wooley as a member.

[H.B. No. 726, H.D. 1, S.D. 2](#)

"RELATING TO FILM AND DIGITAL MEDIA
INDUSTRY DEVELOPMENT."(Film Tax
Credits; Amendments; Media Infrastructure
Project Tax Credit)

Added Representative Choy as a member.

[H.B. No. 799, H.D. 3, S.D. 2](#)

"RELATING TO CREATIVE MEDIA
DEVELOPMENT."(Creative Media
Development; Tax Credit; Workforce
Development Training Program; Appropriation)

Added Representative Choy as a member.

[H.B. No. 858, H.D. 1, S.D. 1](#)

"RELATING TO THE HI GROWTH
INITIATIVE."(Hawaii Strategic Development
Corporation; HI Growth Initiative)

Added Representative Choy as a member.

[H.B. No. 1068, H.D. 1, S.D. 2](#)

"RELATING TO HUMAN
TRAFFICKING."(National Human Trafficking
Resource Center Hotline)

Added Representative Cabanilla as a member.

4. Senate Communications: None
5. Judiciary Communications: None

6. Standing Committee Report Nos. 1563-1574

[1563](#)
(One Day Notice)

(EDU)

[G.M. No. 746](#)

"Submitting for consideration and confirmation to the Education Commission of the States, Gubernatorial Nominee, JOAN HUSTED, for a term to expire 6-30-2017."

(Recommends Senate Consent to Nomination)

[1564](#)
(One Day Notice)

(EDU)

[G.M. No. 747](#)

"Submitting for consideration and confirmation to the Early Learning Advisory Board, Gubernatorial Nominee, LYNN CABATO, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1564](#)
(One Day Notice)

(EDU)

[G.M. No. 748](#)

"Submitting for consideration and confirmation to the Early Learning Advisory Board, Gubernatorial Nominee, MAUREEN RAWLINS, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[1564](#)
(One Day Notice)

(EDU)

[G.M. No. 749](#)

"Submitting for consideration and confirmation to the Early Learning Advisory Board, Gubernatorial Nominee, KERRIE UROSEVICH, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[1564](#)
(One Day Notice)

(EDU)

[G.M. No. 750](#)

"Submitting for consideration and confirmation to the Early Learning Advisory Board, Gubernatorial Nominee, BENJAMIN NAKI III, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1565](#)
(One Day Notice)

(EDU)

[G.M. No. 751](#)

"Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, VOLETTA NOE NOE TOM, for a term to expire 6-30-2016."

(Recommends Senate Consent to Nomination)

[1566](#)
(One Day Notice)

(EDU)

[G.M. No. 779](#)

"Submitting for consideration and confirmation to the Board of Education, Gubernatorial Nominee, BRIAN DELIMA, for a term to expire 6-30-2016."

(Recommends Senate Consent to Nomination)

[1567](#)
(One Day Notice)

(PSM)

[G.M. No. 732](#)

"Submitting for consideration and confirmation to the Civil Defense Advisory Council, Gubernatorial Nominee, SHELDON LEHMAN, for a term to expire 6-30-2017."

(Recommends Senate Consent to Nomination)

[1568](#) (PSM)
(One Day Notice)

[G.M. No. 772](#)
"Submitting for consideration and confirmation to the Crime Victim Compensation Commission, Gubernatorial Nominee, ABELINA SHAW, for a term to expire 6-30-2017."

(Recommends Senate Consent to Nomination)

[1569](#) (PSM)
(One Day Notice)

[G.M. No. 786](#)
"Submitting for consideration and confirmation to the Advisory Board on Veterans' Services, Gubernatorial Nominee, PATRICIA WIELAND, for a term to expire 6-30-2017."

(Recommends Senate Consent to Nomination)

[1570](#) (PSM)
(One Day Notice)

[G.M. No. 778](#)
"Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, REID NOGUCHI, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1570](#) (PSM)
(One Day Notice)

[G.M. No. 787](#)
"Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, STEPHEN DAY, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1570](#)
(One Day Notice)

(PSM)

[G.M. No. 788](#)

"Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, DANIEL HANLON, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1570](#)
(One Day Notice)

(PSM)

[G.M. No. 789](#)

"Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, MARK SPENCE, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1571](#)
(One Day Notice)

(THA)

[G.M. No. 687](#)

"Submitting for consideration and confirmation to the Island Burial Council, Islands of Kaua'i and Ni'ihau, Gubernatorial Nominee, BARBARA SAY, for a term to expire 6-30-2017."

(Recommends Senate Consent to Nomination)

[1572](#)
(One Day Notice)

(THA)

[G.M. No. 729](#)

"Submitting for consideration and confirmation to the Island Burial Council Island of O'ahu, Gubernatorial Nominee, HINALEIMOANA WONG-KALU, for a term to expire 6-30-2016."

(Recommends Senate Consent to Nomination)

[1573](#)
(One Day Notice)

(EDU)

[H.C.R. No. 57](#)

"REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO CONTINUE TO COLLABORATE WITH FAMILY AND COMMUNITY ORGANIZATIONS TO ESTABLISH, IMPLEMENT, AND MONITOR STATEWIDE POLICIES FOR FAMILY-SCHOOL PARTNERSHIPS IN HAWAII'S PUBLIC SCHOOLS."
(Recommends Adoption)

[1574](#)
(One Day Notice)

(EDU)

[H.C.R. No. 178, H.D. 1, S.D. 1](#)

"REQUESTING THE BOARD OF EDUCATION TO REVIEW AND MODIFY BOARD POLICY NO. 6710 TO IDENTIFY WAYS TO INCORPORATE SUSTAINABILITY EDUCATION AND ENVIRONMENTAL STEWARDSHIP AT THE CLASSROOM LEVEL." (AMENDED TITLE)
(Recommends Adoption)

ORDER OF THE DAY

7. Deferred Matters – House Communication

HSE. COM. NO.

REFERRAL

638

[S.B. No. 516, S.D. 1, H.D. 1](#)

"RELATING TO PATERNITY."(Paternity;
Removal of Time Bar to Actions)

AGREE/DISAGREE

8. Advise and Consent

<u>1552</u>	EGH	<u>G.M. No. 524</u> "Submitting for consideration and confirmation to the King Kamehameha Celebration Commission, Gubernatorial Nominee, LU ANN LANKFORD-FABORITO, for a term to expire 6-30-2016."
<u>Status & Testimony</u>		
<u>1552</u>	EGH	<u>G.M. No. 525</u> "Submitting for consideration and confirmation to the King Kamehameha Celebration Commission, Gubernatorial Nominee, MELISSIA MAE SUGAI, for a term to expire 6-30-2014."
<u>Status & Testimony</u>		
<u>1552</u>	EGH	<u>G.M. No. 619</u> "Submitting for consideration and confirmation to the King Kamehameha Celebration Commission, Gubernatorial Nominee, KAINOA DAINES, for a term to expire 6-30-2014."
<u>Status & Testimony</u>		
<u>1552</u>	EGH	<u>G.M. No. 715</u> "Submitting for consideration and confirmation to the King Kamehameha Celebration Commission, Gubernatorial Nominee, ELMER KAAI, for a term to expire 6-30-2017."
<u>Status & Testimony</u>		
<u>1553</u>	HMS	<u>G.M. No. 745</u> "Submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, Gubernatorial Nominee, JOY MIYASAKI, for a term to expire 6-30-2017."
<u>Status & Testimony</u>		

1553 Status & Testimony	HMS	G.M. No. 769 "Submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, Gubernatorial Nominee, MAEONA MENDELSON, for a term to expire 6-30-2016."
1554 Status & Testimony	TIA	G.M. No. 790 "Submitting for consideration and confirmation to the State Highway Safety Council, Gubernatorial Nominee, JOVANIE DE LA CRUZ, for a term to expire 6-30-2017."
1555 Status & Testimony	CPN	G.M. No. 721 "Submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, Gubernatorial Nominee, DENNIS SHORT, for a term to expire 6-30-2017."
1555 Status & Testimony	CPN	G.M. No. 724 "Submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, Gubernatorial Nominee, WERNER UMBHAU, for a term to expire 6-30-2017."
1556 Status & Testimony	CPN	G.M. No. 722 "Submitting for consideration and confirmation to the Pest Control Board, Gubernatorial Nominee, ALVIN FUKUYAMA, for a term to expire 6-30-2017."

1556	CPN	G.M. No. 764 "Submitting for consideration and confirmation to the Pest Control Board, Gubernatorial Nominee, TERRANCE MANAGO, for a term to expire 6-30-2015."
Status & Testimony		
1557	CPN	G.M. No. 723 "Submitting for consideration and confirmation to the Board of Pharmacy, Gubernatorial Nominee, GARRETT LAU, for a term to expire 6-30-2017."
Status & Testimony		
1558	CPN	G.M. No. 725 "Submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, Gubernatorial Nominee, CRAIG MURAYAMA, for a term to expire 6-30-2016."
Status & Testimony		
1558	CPN	G.M. No. 760 "Submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, Gubernatorial Nominee, RICHARD SUZUKI, for a term to expire 6-30-2017."
Status & Testimony		
1559	CPN	G.M. No. 761 "Submitting for consideration and confirmation to the Contractors License Board, Gubernatorial Nominee, ALDON MOCHIDA, for a term to expire 6-30-2017."
Status & Testimony		
1559	CPN	G.M. No. 762 "Submitting for consideration and confirmation to the Contractors License Board, Gubernatorial Nominee, WILLIAM KAMAI, for a term to expire 6-30-2017."
Status & Testimony		

[1559](#) CPN
[Status & Testimony](#)

[G.M. No. 763](#)
"Submitting for consideration and confirmation to the Contractors License Board, Gubernatorial Nominee, LES BOTELHO, for a term to expire 6-30-2017."

[1560](#) CPN
[Status & Testimony](#)

[G.M. No. 765](#)
"Submitting for consideration and confirmation to the Real Estate Commission, Gubernatorial Nominee, LAURIE LEE, for a term to expire 6-30-2017."

[1561](#) CPN
[Status & Testimony](#)

[G.M. No. 780](#)
"Submitting for consideration and confirmation to the State Board of Public Accountancy, Gubernatorial Nominee, CARLETON WILLIAMS, for a term to expire 6-30-2017."

[1562](#) CPN
[Status & Testimony](#)

[G.M. No. 782](#)
"Submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, Gubernatorial Nominee, JAMES WILBURN, JR., for a term to expire 6-30-2017."

9. Final Reading

[S.B. No. 482, S.D. 1, H.D. 1](#)
[Prior Versions/Status & Testimony](#)

"RELATING TO AGRICULTURE."
(Agricultural Products; Honey; Department of Health)

[S.B. No. 529, S.D. 1, H.D. 1](#)

"RELATING TO PARENTAL RIGHTS."

[Prior Versions/Status & Testimony](#)

(Parental Rights; Rape; Sexual Assault)

[S.B. No. 1138, H.D. 1](#)

"RELATING TO VACCINATION
GUIDELINES."

[Prior Versions/Status & Testimony](#)

(Vaccination Guidelines)

10. Miscellaneous Communications: None

11. Miscellaneous Business

- Waiver of Referral; One Day Notice for Adoption

[H.C.R. No. 25](#)

WTL/WAM

"SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON A LAND EXCHANGE."

[H.C.R. No. 104](#)

WTL/WAM

"AUTHORIZING THE ISSUANCE OF A NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS PURSUANT TO SECTION 171-53, HAWAII REVISED STATUTES, RELATING TO THE RECLAMATION AND DISPOSITION OF SUBMERGED OR RECLAIMED PUBLIC LAND."

[H.C.R. No. 181, H.D. 1](#)

WTL/EGH/WAM

"REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO SUBMIT A REPORT TO THE LEGISLATURE ON CURRENT AND POTENTIAL REVENUE GENERATING ACTIVITIES ON STATE-OWNED LAND AT SAND ISLAND."

- Reconsideration of Disagreement to House Amendments; Motion to Agree;
One Day Notice for Final Reading

[S.B. No. 1193, S.D. 1, H.D. 1](#) WAM "RELATING TO SECTION 237-
24.3, HAWAII REVISED
STATUTES."

12. Announcements

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
CONF	4/17/2013 1:30 PM	016
CONF	4/17/2013 3:00 PM	329
CONF	4/17/2013 7:00 PM	309
ENE/TIA	4/18/2013 1:15 PM	225
TIA/ENE	4/18/2013 1:16 PM	225
CONF	4/18/2013 2:00 PM	016
AGR/EEP	4/19/2013 8:45 AM	225
EEP	4/19/2013 8:45 AM	225
CPN	4/19/2013 9:00 AM	016
HMS/CPN	4/19/2013 9:00 AM	016
WTL	4/19/2013 9:45 AM	224
EGH/WAM	4/19/2013 10:00 AM	211
HTH	4/19/2013 1:15 PM	229
EDU/WAM	4/19/2013 1:30 PM	211
ENE/HTH	4/19/2013 1:30 PM	229
HMS/WAM	4/19/2013 1:30 PM	211
HRE/WAM	4/19/2013 1:30 PM	211
PSM/WAM	4/19/2013 1:30 PM	211
ENE/WAM	4/19/2013 1:45 PM	211
HTH/CPN	4/19/2013 1:50 PM	229
CPN/WAM	4/19/2013 2:00 PM	211
THA/PSM/JDL	4/19/2013 2:45 PM	312
EGH/TIA	4/19/2013 3:00 PM	423
PSM/TIA	4/19/2013 3:05 PM	423
HMS	4/19/2013 3:30 PM	229
TEC	4/25/2013 1:15 PM	414

- Senate Session will convene at 11:30 a.m. on Thursday, April 18, 2013.

13. Adjournment